

**Town of Milton
Town Council Meeting
Milton Library, 121 Union Street
Thursday, August 18, 2011
6:30 p.m.**

**Transcriptionist: Helene Rodgville
[Minutes are Not Verbatim]**

Mayor Newlands: I would like to call the meeting to order, it's 6:31. I'm going to open up the public participation in one second, I just want to know if everybody saw the notice from Tidewater? If you don't have a copy, it's on the Town website. Tidewater is trying to raise our sewer fees by 90%. That's both the flat fee that's in your bill and the metered part that's in your bill. So there's information on here on when the meetings are going to happen. It's on the PSC website, as well. Some of the documents are on our website and I have a link from our website to the PSC's website and there are other documents on that website, as well. There will be meetings. The Town Solicitor, Seth Thompson, will go Tuesday to the Commission meeting and we'll be protesting it, because we have a contract with Tidewater. So I just want everybody to be aware of this and whenever we get information I'll keep posting it on the website.

Vice Mayor Betts: Excuse me Mr. Mayor, did they go up? At the time we talked to them it was 70%.

Mayor Newlands: That's right. It's 90% now.

Vice Mayor Betts: They went up to 90%.

Mayor Newlands: They went up to 90% and they also filed today for an interim rate increase of 15%, which starts September 28th.

Vice Mayor Betts: You know when we talked to them, they said the 15% and then it would go to 55% to make 70%.

Mayor Newlands: Right. But they made it 90%. And the immediate interim rate increase of 15% is a given. They don't even need to go to the PSC for that; they just get that automatically and then that gets adjusted at the end, in 6 or 8 months when the PSC comes to their final decision that gets adjusted. So if the PSC says no you can only get a 10% increase, then Tidewater has to rebate you back the 15%; if the PSC says you can have a 30% increase, well they get 15% more in 6 or 8 months. Okay?

Vice Mayor Betts: Okay.

Lynn Ekelund: Does that 15% go into effect in September or is it that they can charge it and then, at some point, you would get some form of a rebate whenever they decide upon what they decide upon?

Mayor Newlands: They'll start on September 28th. Then when the Commission determines whether or not they get a rate increase, and what that increase is; they will adjust it accordingly. But they won't back bill us if it's higher. Like if the PSC gives them 30%; we'll have another 15% on top of the 15% we have, but they won't back bill you.

Lynn Ekelund: Thank you.

Mayor Newlands: If they say 10%, they'll give us the 5% back. Okay. And we're assuming, we haven't figured it out yet, that the 15% will start September 28th going

forward; for any usage forward, not for this back quarter.

Vice Mayor Betts: But then it has to be determined through Seth, whether it even is legal, being as we have a contract, right?

Seth Thompson: Well to answer that as simply as possible, the Public Service Commission has jurisdiction over whether or not to grant their rate increase; the Commission obviously wasn't a party to your contract; but the Town is going to contend that Tidewater has already bound itself to not increase the rate.

Vice Mayor Betts: It's my understanding and I think it's Cliff's, that they put us in there, because it looked better for them to get the other increase. Is that right?

Mayor Newlands: That's what they're saying, but I've seen nothing in writing. I've asked a number of times for documentation from Public Service Commission. I've gotten nothing from them. I mean from Tidewater.

Vice Mayor Betts: But that's what he inferred, wasn't it?

Mayor Newlands: Right. Yes.

Vice Mayor Betts: Okay, thank you.

Mayor Newlands: Okay we have quite a number of people speaking tonight so if you can stick to 2-3 minutes and that's it, because I will cut you off.

1. **Public Participation**

a) Mayor Newlands: Dr. Coffaro.

Dr. Michela Coffaro, 608 Union Street: Okay, there are only two quick points to add from last time and that is 1) the Gross Rental Receipts do not include any person who lives in their own home, so they can't be involved in the Gross Rental Receipt issue and 2) in the State of Delaware, on the computer, the information says that you can charge .01 to 2. something percent; but no more. 2. something. I can't remember if it was 6.

Mayor Newlands: That's Gross Revenue tax; that's not Gross Rental Receipts Taxes; it's a different tax. I've read that, that's the business taxes.

Dr. Coffaro: Okay, there must be some limit, because we are not a tourist town and also the people who are living in their homes are not included.

Mayor Newlands: I don't understand, people who are not living in their homes.

Dr. Coffaro: People who rent a room or have someone in their own home are not included in Gross Rental Receipts Tax.

Mayor Newlands: They are included. That Chapter 136 you're referring to, does not affect this at all.

Dr. Coffaro: Well I disagree.

Mayor Newlands: Okay.

b) Joyce Cronin, 107 Oysterman: Thank you for letting me speak with you today. I wanted to talk with you about taxes and about something I read in the Gazette about spreading the cuts that are needed for us to make our budget and that everybody has to give. And I think it's the same thing with taxes. I feel that there is a wave towards putting the taxes on the property owners and not spreading it around to renters and other people in town who could be revenue givers to our town. They enjoy our police, they

enjoy our great schools; let's have them also contribute to the cost of these things in our great town. Thank you.

- c) John Booros, 115 Broad Street: I'm going to make it short and sweet. I was going over the 10-page budget this week and thank you, by the way, everybody for getting it right on the front page of the website, easy to find and I'm finding a lot of areas on the budget where they didn't even come close to what was proposed last year in their expenditures, over and over again on page after page after page. Yet we've given them the exact same amount proposed for next year's budget, even though they didn't come close to spending it this year. I'm sure there are reasons for some of it, like in the Police Department you didn't have the extra three officers, but you're going to have, so the uniform cleaning may go up to what it should have been last year. But, there are other areas that I find over and over again that shouldn't be raised. If you look at what they actually spent two years ago or three years ago, what was proposed two years ago or last year, what they actually spent this year, why would we give them the same number that they proposed a year ago, if they didn't spend it this year? I think it should be cut down to what they've spent to date and maybe you take it out two more months to the end of the fiscal year; I don't even know when our fiscal year ends; but...

Mayor Newlands: Five weeks.

John Booros: Five weeks. Then you take it out five weeks. If they haven't spent it up to the last five weeks of the fiscal year, I don't know why you're giving them the same amount they proposed last year; unless it's in the case of like the extra three police officers, their uniform requirements are going to pop up. The other thing I found was in the Code Department. The fees collected, I think those are past due fees for the Engineering stuff like that; were on the outgoing, which you're listing as a deficit and the stuff that we're listing as a coming in; they're not the same numbers.

Mayor Newlands: Some of the fees are built into the permits, like the inspection fees will be built into the permits.

John Booros: I understand, so it's a pass basically.

Mayor Newlands: It's a pass through, but they're not in the same line item because they're not billed and spent in the same way.

John Booros: Okay, I understand.

Mayor Newlands: Engineering fees are, legal fees are; so...

John Booros: Some of those fees are differing from what's going out and what's coming in and it just appears to me that if you're giving the same number on a lot of those categories that they proposed last year, and we approved last year. They didn't spend it this year. That if you're giving them that same amount of money for next year, then this is all artificially inflated and what's happened is you're saying we have a deficit that we don't have of three hundred and some thousand dollar deficit, if you would cut this back to what they've actually spent to this year; and not give them the extras, unless it's a case like in the Police Department where you know that they're having three extra officers and they're going to need the money

this year. But if the utilities weren't that high, based on what you proposed last year and if the history of the last three years don't show they were that high, why are you giving it to them again this year? I don't understand.

Mayor Newlands: We've gone through that budget and if you want to let me have that sheet, I'll take it from you and I'll take a look at all the individual items on it. It depends on the category; in the Water Department we use a lot of chlorine in the summertime, so...

John Booros: I didn't even touch the Water Department.

Mayor Newlands: I'm just saying, some of them are seasonal.

John Booros: I left the Water Department alone.

Mayor Newlands: Okay, I'll take it. Thank you.

John Booros: And one more thing, the \$500 collection. We spend an awful lot of money in the Code Department and we apparently didn't collect any Code Violation Fees this year, according to your budget. We proposed \$500 revenue coming in from Code Violations. I say that there is a heck of a lot more than \$500 worth of Code Violations out there right now and if you've got two people working in Codes now, it would appear to me that \$500 in Code Violations proposed income for the next year is artificially low.

Mayor Newlands: We generally give people warnings and they generally clean up before it's time to give them a violation, so... And we are going to change the Ordinance so that it's easier for us to give violations.

John Booros: Okay. That's it. Thank you.

Mayor Newlands: Thank you.

- d) Lester Radke, 14973 Gravel Hill Road: I have properties in Milton. I have a statement I would like to read to you. "I would like to apologize for the statement that I made at the last meeting when I stated that the town personnel from other towns told me that they had no other rental tax. I have, or will take the time to inform each and every one of them, that there are five other towns in Sussex County that have a tax similar to what you are proposing. Bethany has a rental tax and a retail tax; Fenwick has a rental tax and a retail tax; Millville has a rental tax and a retail tax; Ocean View has a rental and a retail tax; South Bethany has a rental tax and a retail tax." You have the sheet Mr. Mayor with the percentages that each of these towns charge. I would like you to share that with the Council before we vote on this thing with regard to a retail tax that goes to the renter's only.

Mayor Newlands: They have a sheet. I gave it out tonight with the Council packages.

Lester Radke: Why did you give us the five towns that didn't have any retail tax, when you made the original proposal? I have not heard a word at all about when you were talking about the different towns that had the tax you mentioned Rehoboth, Lewes, Bethany and so on and said that those towns didn't have a retail tax, but you didn't mention any of the towns that had a retail tax.

Mayor Newlands: I don't recall mentioning that at all.

e) John Collier, 301 Coulter Street: Good evening. I was reviewing the agenda tonight and would like to make a request to the Council, actually several. Until such time that you resolve a budget, which as far as I know unless you're telling me what you presented two nights ago is locked in stone; I don't see how, with a clear conscience, evaluate property tax increases or Gross Rental Receipts Tax. The other thing that I would like to respectfully request; you held a meeting two nights ago. On your web announcement you said that the budget is available; so that's where I got mine and I got version two; well I arrive here and we're on version three; so I don't feel that you properly notified people in order for them to have time to respond to this. So what I'm asking is that you extend your period for comment; written comment, I don't care, but I think that we're entitled to that. I found the Town do this in the past and that's how it was resolved and I would like to see that again. Thank you.

Mayor Newlands: Thank you.

f) Don Shandler, 202 Gristmill Drive: I'm speaking on behalf of the Economic Development Committee. The first thing is, I and my colleagues appreciate the work that you're doing to address a real serious issue and I also hope that you take into account the excellent feedback you've received from our citizens, as well as fellow council members in addressing this budget. I need not review that. My concern from an Economic Development Committee perspective is what we're doing now is addressing for the most part a short term issue for the next 12 to 24 months; and I think despite the urgency of doing that, we need to pull back the lens and look at the broader issue of where we are 12, 24, 36 months. And with that in mind, I wanted to bring you up-to-date that the Economic Development Committee as in our plan indicated that you approved, we have moved from developing a tactical plan to a strategic plan and that will be ready for distribution at the next Council Meeting. I think that will provide an opportunity for us to involve a variety of us in a very collaborative activity. Our new Town Manager, Finance Committee, any citizens that want to get involved, these are open meetings; because I feel there is a tremendous need to not spend all of our energy just on the short term issue, but the longer term issue. I think there's tremendous potential for that. Our Economic Development Committee has found that there are a number of really excellent organizations in town that need to work more collaboratively together in marketing Milton and getting a coherent message out. We have a new initiative emerging; you'll read more about it through Dave Downey on Milton Speaks, that will do just that. I would just like to close with one success story. The Economic Development Committee responded on a very short term basis in working with the Lion's Club and the Lion's Foundation and the Chamber of Commerce and we were able to develop and submit what I consider to be an excellent grant proposal for the proposed Town Kiosk, informational kiosk, that went to the Gannett Foundation earlier in this week. It's received excellent feedback. We'll know in October, whether or not we're receiving the

money. The important thing was that was through a collaborative effort of our working together and we need to do that in developing and implementing a strategic plan. Thank you.

Mayor Newlands: Thank you.

- g) John Horan, 304 Brick Lane in Cannery Village: Thank you Mr. Mayor, Council Members. I am concerned about how long the Mayor and perhaps council members might have known about the transfer that is taking place, of what was Cannery Village Property to Dog Fish Head. The reason I'm asking this is it would appear that the transfer will have significant impact upon the residents of Cannery Village. The transfer could reduce the size of the Cannery Village Community by some 150 homes; thereby reducing the revenue from assessments by that number of homes to support the Homeowner's Association. There's also a concern based on my perception of the way things have been handled; that the property that is currently planned as residential property could end up being an industrial complex and that is Phase 3a, Phase IV. I understand it is the developer's responsibility to keep the community informed as to what's going on. Chestnut Properties has never been very big on communicating with the community. We have some 200 residents that are voters in Cannery Village, plus part-timers. I would have thought that if the Town knew anything about this earlier than the 27th of July, and being that a survey was done on the 5th of May, I would have thought that the Town would have known something; that the Town might have advised either through this forum or some other media and would have advised the community. On the surface, it appears that some closed door activity that the Town might very well have been aware of, took place. Now, I would like to make it very clear, that at this stage, I'm not so terribly concerned with the transfer; other than the fact that what is the impact going to be on Cannery Village? I know right now that there's going to be a warehouse, but there are some 39 acres that are being transferred. That warehouse doesn't take up 39 acres. I know that there is property across from the sculpture, that has been transferred; what's going to be there? What kind of plans are there for our neighbor, Cannery Village's neighbor; what kind of light can you shed on this, please?

Mayor Newlands: All we know about right now is the warehouse. That's all we know about. That's all we're aware of.

John Horan: So the only thing that's being discussed with the Planning & Zoning is Section IIIA?

Mayor Newlands: That's correct.

John Horan: It's true that other properties that had been owned by Cannery Village are transferred, is that correct?

Mayor Newlands: Some little pieces I think, but that's about it.

John Horan: Oh, little pieces. A piece right across; between the Clubhouse and homes that are owned by residents at Cannery Village. Certainly when those residents bought their property, they didn't plan on having a warehouse, a store or something right next to them.

Mayor Newlands: I don't know the plans for the area. I haven't been apprised of that.

John Horan: Okay. At one point did you know that this transfer was taking place?

Mayor Newlands: I knew months ago under a non-disclosure agreement, so I could not say a word to anybody. I was a non-disclosure agreement to discuss anything with anybody; including Council.

John Horan: But you are the Mayor; you represent people in Cannery Village, as well as the rest of Milton. How can you put yourself in a position of non-disclosure of something that impacts the community? I rest my case.

Mayor Newlands: Thank you. It's 6:52. Let's call the regular meeting to order and stand for a moment of silence with Vice Mayor Betts.

Councilwoman Hudson: Did you want to...

Mayor Newlands: Oh, I'm sorry, I missed Ms. Hudson. She wanted to read something into the record.

- g) Councilwoman Hudson: Just as I walked in today, I was handed a letter and asked to read it into the record. I'm the Secretary for the Town, so I've been asked to read it. "To Mrs. Leah Betts and Milton Town Council. This is from Lois Peregoy and Jerry Peregoy. I am Lois Peregoy. My husband, Jerry, and I live in Chestnut Crossing at 200 Sassafras Lane since October 2005. Upon reading the recent Cape Gazette we have concerns about the Milton Town Council's plans to raise taxes by 30%. In this economy when homes are in foreclosure and millions of people are unemployed, how can you justify raising taxes by 30%? Maybe a tax increase of 10% might be acceptable, but certainly not the increase you are proposing. There are dozens of homes in Milton with "For Sale" signs posted. Do you think when people read of a 30% tax increase that that will be an incentive to buy a home here? We believe the budget should be balanced by cutting expenses. First of all, a planned 3% increase for city employees should be eliminated. No one on Social Security or anyone receiving a government pension has had a Cost of Living increase in two years, nor are we going to get one because Congress voted on another two-year freeze. With millions of people unemployed, we believe city employees should be thankful they have a good paying job with benefits. Our daughter has two jobs and works approximately 60 hours a week so she can make ends meet. Her first job does not have benefits so she contracted at her second job to work at least 24 hours a week so she can receive benefits. The next cut should be the Police Department. Why does the town of Milton with a population of 2,576 need nine police officers? Do these people drive the police vehicles back and forth to work as their means of transportation? On rare occasions do you see a police officer on the streets or drive through our neighborhood. This brings me to the subject of ordinances and what is required to enforce the law. The house at 503 Chestnut Street has families living there that are in the lawn mowing/landscaping business. They just about have a junk yard behind

their shed with old mowers, wheelbarrows, wooden pallets and an unlicensed truck, etc., and each week the pile gets higher. I called City Hall and complained about six to eight weeks ago. I was told that I needed to file a formal complain and I complied. At that time we did not have a Code Enforcer but was told it would be looked into. A few weeks later nothing happened and I went to City Hall again and was introduced to the new Code Enforcer but that he “has no authority” because he had not been sworn in. I believe the Coder should have been sworn in but to date no action has been taken and everything remains the same. I am tired of coming out of my front door and looking at piles of junk! We have barking dogs on Chestnut Street so I called the Police Department and inquired as to whether or not there was an ordinance against barking dogs. I was told that “yes, there is” but I needed to go to City Hall and file a formal complaint. My response was, “A lot of good that will do.” It seems so simple that a police officer could contact the homeowner, tell them there has been a complaint, verify the ordinance and tell the homeowner they are required to abide by the law. The residents of our development get nothing for our tax dollars. The streets are not finished so the developer is response for them and because of this he has to pay the electric bill for our community and he also has to pay for snow removal. It's o.k. for them to plow our entrance shut but they can't plow our streets. We have a broken street on Hickory Blvd. Since the developer pays the city for electric usage is he still responsible for the repair or is the city responsible? We have friends who live in Rehoboth Beach within city limits in a \$900,000 home. Their city taxes are \$400 a year. We live in a small, quaint Milton in a \$400,000 home at at present pay \$685.75 per year and you're asking for a 30% increase. It's the Mayor and Town Council make the necessary cuts and learn to live within the town's means. Signed Lois Peregoy and Jerry Peregoy”

Mayor Newlands: Thank you.

2. Call to Order – Mayor Newlands called the meeting to order at 6:56 p.m. and closed the Public Participation.
3. Moment of Silence – Councilwoman Betts
4. Pledge of Allegiance to the Flag
5. Roll Call – Mayor Newlands

Councilwoman Hudson	Present
Councilman West	Present
Councilwoman Betts	Present
Councilwoman Jones	Present
Councilwoman Duby	Present
Mayor Newlands	Present
Councilman Lester	Absent

6. Additions or Corrections to the Agenda

Mayor Newlands: Do we have any additions or corrections to the Agenda? I made an error in the agenda on Item 9 c. That should have been the Streets Department and we can not, since we're changing that for the Streets Committee, we cannot vote on that tonight. So that's been put to the September agenda. So we'll strike Item 9 c.

Councilwoman DUBY: So it's the Streets Committee she's requesting to be on?

Mayor Newlands: Yes, Streets and Sidewalks. That was my fault, I put the Water Committee. I was talking to somebody about Water that day. Are there any other additions or corrections to the Agenda?

7. Agenda Approval

Councilman West: I make a motion that the agenda be adopted with the corrections.

Councilwoman DUBY: Second.

Mayor Newlands: We have a motion and a second to approve the agenda as corrected. All in favor say aye. Opposed. Motion carried.

8. Old Business – Discussion and possible vote on the following items:

a. Yard Waste Options

Mayor Newlands: I tried doing them as part of your packet; there's a large spreadsheet with some statistics on it for some of the towns, and I tried getting some information about yard waste. This municipal statistics sheet is going to be used for your taxes, Gross Rental Receipts Tax and yard waste, so there's information on there from a number of towns. Some of the towns contract out to Blue Hens; some of the towns have their own pickup; other towns do absolutely nothing. So it's just there for information. One of the things that we talked about; when I talked to Allen and Dustan; we talked about putting in a bin in the maintenance yard, actually cordoning off an area, with concrete blocks, so that people could put their yard waste there and then we were going to buy a claw for the back hoe, which costs about \$6,000, \$6,500, and then periodically get a 30 yard container to come in and when that cordoned off area would fill up, we would use the bucket and move the material to the 30 yard container. We found a lot of difficult with the 30 yard container. It was too tall, a lot of people couldn't get the yard waste in there; so one of the suggestions was just to cordon off an area in the maintenance yard so that we could store the yard waste and then we move it to the 30 yard container; and the 30 yard container is right now running us \$100 every time we fill one, so it's fairly inexpensive. So that was one of my ideas to handle this.

Councilwoman DUBY: Do we pay someone to come and pick that up when it's full?

Mayor Newlands: They'll drop it off and pick it up for \$100. We don't pay for weight or anything like that.

Councilwoman Duby: So the whole thing is \$100.

Mayor Newlands: And that's the gentleman over on Carpenter Road off Hudson Road in Milton. So what I was going to suggest, is that we add \$1.50 per quarter on the trash bills to pay for this.

Vice Mayor Betts: It's \$1.25.

Mayor Newlands: I'm sorry, it's \$1.25. Thank you.

Councilwoman Jones: And that's paid to Milton? That is revenue for Milton?

Mayor Newlands: Well it would be to pay for the...

Councilwoman Duby: Addition to the backhoe, right?

Mayor Newlands: Right. And it's about \$500 for the concrete blocks to go around. Those are the big concrete blocks, they're about 12' long or 3' tall.

Councilwoman Hudson: I have a solution to buying the claw for \$6,000. You can get these dumpsters that have a hinge and swing open ends, so you can just literally walk into it.

Mayor Newlands: The one we got the last time had that, but the problem was that it got filled up so fast, the door gets closed and then the last 3 or 5 feet or so, people have to throw stuff over it; and it's very hard to do that. A lot of people had difficulty with that.

Councilwoman Hudson: The other thing too, is, I recall that you were going to get a number of bids on the various options for yard waste.

Mayor Newlands: We have that. That's coming up under the trash contract under 9 b. That's all included in the trash contract that we're going to award tonight. The options are in there.

Councilwoman Hudson: Okay.

Councilwoman Jones: Mr. Mayor, excuse me, is there the ability if we turn the yard waste over to town, is there the ability to sort it to the point where we can mulch it for either use in the Parks ourselves, or sell back if we treat it back to the citizens? Because if you treat it, you can sell it back.

Mayor Newlands: The issue is really just the manpower. We only have four guys in public works and it's just a matter of do we want to get into that business, or not? I'm not sure we have enough land to do that, as well.

Councilwoman Hudson: There are always extras. You could buy the mulcher and then you've got to buy the equipment to treat it; and you have to have a place to store it. We've decided not to buy the pole barn to store things, so it gets complicated.

Mayor Newlands: Yes, some of the towns have large maintenance yards and they have facilities to do that. I just don't think we have a large enough facility to do that in. There are issues with doing this, as well, because controlling it so contractors don't go in there. There's nobody watching it at night. There's nobody watching it on the weekends, so contractors could wind up dumping in there, as well; so there are issues with this proposal.

Councilwoman Duby: Not the least of which is the \$6,500 in my mind, given where we are.

Mayor Newlands: That's why I want to add \$1.25 per quarter onto the trash bill to help pay for that.

Councilwoman Duby: Yes.

Mayor Newlands: I know Ms. Betts has expressed issue to me with that for people who can't bring their yard waste down there. We've thought of and I've talked with Allen a little bit about using the sticker system; where you buy stickers and what I thought of is if we sell five stickers, for argument sake, we give you two out of the five would be free; and that would compensate for the \$1.25; so that money would be there. Then we would...

Councilwoman Duby: I don't understand what you're talking about with the stickers.

Councilwoman Jones: I don't either.

Mayor Newlands: You buy the brown bags in Ace and then you put a sticker on it and then we would come up periodically and pick up the bags of yard waste only with stickers on them. Because we would know they are prepaid for. That's an option that some towns do. We talked about that, but we weren't sure if we wanted to get into that kind of a process. Again it's a pain in the neck; it's manpower.

Councilwoman Duby: You've got people who can't get it there; you've got people who have already made other arrangements or who don't have much yard waste or whatever. It seems as unfair as to pay for the recycling, whether you use it or not; which we don't have any choice about because of the State.

Mayor Newlands: Yes, there's no easy option with this. That's why a lot of towns... Georgetown started it for a little bit and they were trying a couple of things and then they just dropped it.

Councilwoman Jones: Mr. Mayor, could you charge the \$1.25 per home or whatever the offset is to simply allow the homeowner's to take the yard waste to the dumpster if it means dumping the dumpster on a more regular basis and leaving out the claw and the enclosure expense for Milton? Just go ahead and use the dumpster notion.

Mayor Newlands: We would have to rent a dumpster every week; that would be \$100 a week; we'd be at \$5,200.

Councilwoman Jones: What would that compute out to homeowners if you applied that?

Mayor Newlands: About the same thing.

Councilwoman Jones: About the same thing, without incurring the \$7,000 for the equipment and the pit.

Councilwoman Duby: Well but we would incur the money to rent the dumpster every week, so it's about the same.

Councilwoman Jones: You were going to do that anyway, weren't you?

Mayor Newlands: No, we were only going to rent a dumpster when that area got filled. The claw was really to allow the men to pick up the material and put it into the dumpster with the backhoe.

Councilwoman Jones: I'm concerned about the cost of the equipment

though I like the idea; whether or not it's the same amount of money, if it is still \$1.25 per home to take it to the dumpster and we need the dumpster there more often; I still see where that would save Milton \$7,000.

Mayor Newlands: Well we were going to charge that back to the residents.

Councilwoman Jones: I understand. I understand.

Vice Mayor Betts: Charge what back?

Mayor Newlands: The \$7,000. We would charge \$1.25 per quarter.

Vice Mayor Betts: That would take care of that?

Mayor Newlands: Yes.

Councilman West: But Mr. Mayor there is more uses for that claw than just what they're talking about for the waste.

Mayor Newlands: Right, the claw replaces the bucket that's on there right now.

Councilman West: Because there's a lot of uses they can use with that in the town Marion.

Councilwoman Jones: And I understand that it's just a large piece of equipment in a really tight year.

Councilman West: Yes.

Councilwoman Hudson: And it requires manpower. It's like when we bought the Kubato to water the gardens downtown, the cost of the Kubato was supposed to pay for itself in four years, but nobody took into account the manpower that was required to run it; so there are always these extras that come up.

Mayor Newlands: Yes, when that area gets filled up it could be a day or two that somebody's filling up the dumpster. It will take some time to fill up that dumpster, sure. But it probably won't be anymore than a day or two. Again, Georgetown tried a couple of things and they finally dropped it because it became too much of a maintenance nightmare for them. When you get into looking at the trash contracts and how much yard waste was adding into the contract, we may want to go back and revisit this. These are just suggestions that we're throwing out. We don't have to do anything with this tonight if we don't want to.

Councilwoman Jones: Will this be revisited in September at the time to agree on the contract and the public would have an opportunity to speak again on it?

Mayor Newlands: Sure. I'll put it on the September agenda.

Councilwoman Jones: Thanks.

Mayor Newlands: So we can move forward?

Seth Thompson: Just a reminder, if it's above \$5,000 we have to put it out for bid.

Mayor Newlands: Out for bid. Yes.

9. New Business – Discussion and possible vote on the following items:

- a. Referral to Planning & Zoning the application from Dog Fish Head Craft Brewery for the rezoning of parcel 2-35-20.00 53.00 (formerly Cannery Village Phase 3a) from R-1 LPD to LI (Light Industrial)

Mayor Newlands: Here we are only referring the application to Planning & Zoning. Planning & Zoning then has to hold a Public Hearing and have quite a number of meetings before this gets approved. Did you want to go over the schedule?

Seth Thompson: I can. Again, tonight is just simply to... It's non-discretionary that the Council has to refer this. You can't elect not to, based on Section 220-89. But this kicks off the time line for this process going forward. So it will get referred to Planning & Zoning; Planning & Zoning will have a hearing; they should invite public comments. They have 45 days to issue their report and the Town Council will need to schedule a Public Hearing including notifications in the newspaper and invite public comment, at that point. So, again, it will go to Planning & Zoning for an advisory report. It will come back to the Town Council and the Town Council will hold the Public Hearing for anybody that wants to come. Any questions?

Mayor Newlands: Robin is just telling me that a copy of the plan that we have in front of us is at Town Hall for anybody that wants to read it.

Councilwoman Duby: I move that we refer the matter of the rezoning application of Dog Fish Head to the Planning & Zoning Commission.

Councilman West: I second that motion Mr. Mayor.

Mayor Newlands: We have a motion and a second to refer the Dog Fish Head item to Planning & Zoning. All in favor say aye. Opposed. Motion carried. And just for the public's knowledge, this does also require a Comprehensive Plan change. So that will be going on in parallel with the Planning & Zoning efforts.

b. Award Trash contract to winning bidder

Mayor Newlands: BFI Waste Services of Delmar was the winning bidder. We now have a choice with this contract you have in your packets. The monthly cost from the... There's four different options here. There's just the trash pick up (and it always includes recycling, so for whenever we talk about trash, from now on, it always includes two days of recycling throughout the month) is for one weekly pickup for regular trash and two monthly pick ups for recycling.

Councilwoman Duby: Okay, so that's all included in these figures. So the only issue is the yard waste options.

Mayor Newlands: In all the figures, right. The yard waste options and there are three options for yard waste and they're detailed on the bottom. Option One: collection of yard waste every other week from October 1st through March 31st. Option Two: collection of yard waste every other week from April 1st to September 30th. Option Three: two collections of yard in January; no collection in February or March; and then weekly in April, May, October, November and every other week in the other months. Allen and I almost fell off our chair when they were reading off the cost of these things, because at one point it went up to \$429,000 a year; that's with all the options; that's the luxury, the Cadillac of trash and yard waste. So

what you have in your packet is a monthly charge for the homeowner and the annual charge; so the last page in this little packet here is the annual charge and we asked each of the vendors to give us a three year option and a five year option, so we could have a three year contract or a five year contract. So the first column is the only column really that we need to look at, because that's BFI Waste who won the bidding; they were the lowest bidder in all of the categories. So they want, for a three year contract with no yard waste; it would be \$223,344 for the first year; \$230,112 for the second year; and, \$237,015 in the third year.

Councilwoman DUBY: You said now we're at \$201,000?

Mayor Newlands: About that, yes. Everybody in DNREC swore that you would not have to raise your trash rates, because they think the tipping fees would offset the cost of this and I don't think anybody in DNREC realizes that you have to get a truck and guys to come out two more times a month. Georgetown actually lost a grant because they were raising their fees and asking for grant money and the grant had stipulations that you couldn't raise your trash fees and they physically could not get two extra trips a month without raising fees; it did not work out at all.

Councilwoman Jones: So if I read this correctly, it has gone up \$22,000 this year, without yard waste?

Mayor Newlands: Correct. But you have two more trips a month; they're here 50% more.

Councilwoman Jones: For the recycling.

Mayor Newlands: That's correct.

Councilwoman Jones: In introducing it in a three year or five year increment, is it advantageous to Milton to do that?

Mayor Newlands: Excuse me.

Councilwoman Jones: Is it advantageous to Milton to catch a three year or a five year contract at this time? You're talking about extending it from year to year, which is what we do now; but you're willing to take a three year contract; is it paid out?

Mayor Newlands: We do three normally.

Councilwoman DUBY: We've always done three. The only reason we have one now is because last time the contract was due, we knew this bill was coming down from the state, so we didn't know what was going to happen with yard waste and recycling, so we entered into a one year contract. But it's always been a three year in the past. Or as least as long as I remember. It seems to me that the advantage of doing a five year contract was that you could lock in some prices; but if you look at these prices, they're still going up way beyond.

Mayor Newlands: They've calculated them out.

Councilwoman DUBY: It seems to me that there isn't really an advantage; although if you say well, these look terrible but if we didn't enter into a five year contract they'd be more terrible. I don't know.

Mayor Newlands: We've had actually an increase in the trash and what happened was they didn't bill us on it, so we brought that before Council

as to whether or not we were going to be gracious to give them the money and we ignored them; so they've bilked us.

Councilwoman DUBY: So now it's payback time.

Mayor Newlands: Well it's a different company now, but they've made sure that they've put their escalation clauses in here.

Councilwoman DUBY: Yes.

Mayor Newlands: There's a slight savings with going with five years. I still hesitate going with five years with the same company.

Vice Mayor Betts: I do too.

Councilwoman DUBY: Yes. I think three is...

Mayor Newlands: We've always been doing three and it's only really a \$4,000 difference, if I'm reading it correctly.

Vice Mayor Betts: You don't know what will happen in five years.

Mayor Newlands: Yes.

Councilwoman DUBY: And you don't know... This is not a company that we've dealt with before, so...

Mayor Newlands: They're pretty big. BFI is pretty big.

Councilwoman DUBY: I'm sure they are, but who knows, we might not be happy with it. I would say three is probably the...

Mayor Newlands: So I'm just going to read off what the cost is for a three year contract. I'll just read year one so people get to understand what the costs are here. I'll read year one for trash and recycling and then Options 1, 2 and 3 for yard waste. So year one with just recycling is \$223,344 with Option 1, which is six months of yard waste collection, every other week, would be \$241,617.60.

Councilwoman HUDSON: Is that...

Mayor Newlands: Option 2 is the same, because it's really just a different six months.

Councilwoman HUDSON: You had Option 1 was trash and collection October through March.

Mayor Newlands: Right.

Councilwoman HUDSON: Okay, could you please tell me what that would be for the one year?

Mayor Newlands: \$241,617.60.

Councilwoman HUDSON: Okay.

Mayor Newlands: That's what's written; not in addition. No. Overall. Yes, it's an additional \$18,000. Then if we took Option 2... Everybody priced; I shouldn't say everybody; but BFI priced Option 1 and 2 the same, because they were just a different six months of the year. Okay? When you get into Option 3, which is pretty much almost all year long, that goes to \$255,018.24.

Vice Mayor Betts: But do you need it all year? I don't think you need it.

Mayor Newlands: No. We haven't had it at all this year.

Vice Mayor Betts: No, so...

Mayor Newlands: And it's been working out okay. That's one of the other things is we have not been putting in yard waste since January; I think

that's when they stopped it. And we haven't had complaints in at least three months.

Councilwoman Hudson: By January most of the leaves had fallen off and people had collected them up and the town had collected it up and the biggest part of cleaning up your yard was done by January, so the thing is what's going to happen is we're going to come to October through March where this to me is the best option, because now the leaves have been growing all summer; the yards and gardens have been growing all summer; and now is when we're going to need it in October again. We haven't had many complaints, because we haven't had as much need for it, but when things start to die in October, we're really going to need it and right now there are parts of some developments like Cannery Village that their trees aren't really as mature as other parts of town, but eventually they'll be very mature and I would think that people in other developments besides the older part of town, they have yard waste as well. It's not just the older part of town. There are other developments that have it, so the reason we haven't had as many complaints is because the worst of it was already collected by January.

Councilwoman Duby: But there's a lot of gardening and so on done in spring in summer, too.

Councilwoman Hudson: But I'm saying if we only have one option, it would be, to me, the best one of October through March because then you're cleaning up your gardens.

Councilwoman Duby: I think the leaves are a bigger issue to people than spring and summer gardening; but I don't know.

Councilwoman Hudson: And by March... I start in February, if we get some 50° days cleaning up my yard and I could have most of the old stuff; the weeds and everything that accumulated; tree limbs that have blown down from storms and winter snows and have the worst of it over by March and then just save what I have over the summer through to October again. So to me that's the best offer.

Councilwoman Duby: What's the monthly charge now?

Mayor Newlands: That's on the page before that.

Councilwoman Duby: I know, but what is it now?

Mayor Newlands: \$15 and change a month; \$47 a quarter. The new fee would be \$16.50 and Option 1 would be \$17.85, so it's really not that much per month extra; considering I think they're charging \$6 a month right now from M-T for yard waste.

Councilwoman Jones: Excuse me. Two things. Does that mean that each week when we have our garbage picked up we can put up yard waste?

Mayor Newlands: I don't know what the schedule is. I would assume...

Councilwoman Duby: It says every other week from October through March.

Mayor Newlands: So this would probably be the weeks that you didn't have recycling. So Monday would be trash, Thursday would be recycle or yard waste.

Councilwoman DUBY: They wouldn't do it the same time as they do the trash? I realize they can't be commingled, but they would have to have two trucks.

Mayor Newlands: They would have to have two trucks and two teams doing it.

Councilwoman Jones: So is one of the options to pick up the three year contract without the yard waste; but then turn back to the \$1.25 per home which was introduced on the summary sheet and we provide a dumpster at the maintenance yard. It's all a very delicate question of being able to get your yard waste to the maintenance yard, which is also my issue; but it would provide 24 month service, as opposed to paying your trash contractor for hit and miss six months.

Mayor Newlands: Well, it's not hit or miss; it's every other week for six months.

Councilwoman Jones: But for only six months, as opposed to \$1.25...

Mayor Newlands: That was \$1.25 a quarter.

Councilwoman Jones: Right. A quarter. A month.

Mayor Newlands: I wrote a quarter, I think.

Councilwoman Jones: Okay. Is that option still on the table if we don't pick up...

Mayor Newlands: We would have to go back to it next month. We've already passed that item on the agenda. For having \$1.35 extra per month for Option 1 of yard waste, that's fairly inexpensive.

Councilwoman Hudson: Plus, you have to take into account that a lot of people don't have a truck to haul it down there. You have a relatively new car; you're going to put your yard waste in your car?

Councilwoman Jones: Well I'm not, but Option 1 only allows me every other week from October 1st to March 31st, and I'll grant you that's a lot of yard waste, but my February cutting is not heavy; January cutting is definitely not heavy; it catches the autumn months. I guess it's just a matter of what your need is. I agree with Councilwoman DUBY in saying my yard generates a lot of mess just when you're cleaning it in the spring; which if you're cutting it off in March, cleaning flower beds in April and May and the like; and mine produced a lot; even still leaves from the yard; then we would have no place to take it for the following six months.

Mayor Newlands: What have you been doing since January of this year?

Councilwoman Jones: I've been sending it off with someone else, who's willing to take it away for me.

Mayor Newlands: I mean there are still the other services where you can have other companies come and pick it up and they'll do it on call, if you have yard waste. Grizzly's will do that and a few other places do that.

Councilwoman Jones: And for six something a month, I think Blue Hen actually comes at curbside; takes it from your yard.

Mayor Newlands: Actually, if we took Option 3 here, it's \$18.84; it's really only \$2.34 per month to take the full option, which is almost every week. It's cheaper than the \$6 a month.

Councilwoman Jones: And that's all months?

Mayor Newlands: It's excluding collection in February or March.

Councilwoman Jones: So it's 10 months.

Councilwoman Duby: But then the rest of the months sometimes it's weekly; sometimes it's every other week; but in the heavy months it's weekly.

Mayor Newlands: Right. I mean that's the Cadillac.

Councilwoman Hudson: So we're talking about \$25 a year more to get it year round? At \$2.34 a month.

Mayor Newlands: Somewhere around that, yes.

Councilwoman Jones: I would love to hear from the public, although I know that the agenda doesn't allow it.

Councilwoman Hudson: How about a show of hands, how many think it's worth it?

Councilwoman Jones: Because it affects everybody, I haven't gotten a big reading back from the public now that we see these numbers. Is this possibly information that could be placed on the website? I know it's getting crowded.

Mayor Newlands: It is, but we have to do this now, because they have to prepare for this. BFI needs to prepare for getting trash cans out to us, recycling cans out to us and I guess staffing up for the manpower to do the yard waste.

Councilwoman Jones: So we could not make this as a vote at the September meeting? It would not give them enough lead time.

Mayor Newlands: I don't think so. No. Scott's saying no.

Councilwoman Duby: If we do the Cadillac, as you put it; it means that instead of paying \$47 a quarter for trash pick up; people would be paying \$56.52 a quarter.

Mayor Newlands: And we always add a little something on for our own admin fees.

Councilwoman Duby: But essentially, whatever; under \$60.

Mayor Newlands: Yes.

Councilwoman Duby: And they would be getting recycling twice a month, yard waste essentially year round.

Mayor Newlands: Right.

Councilwoman Duby: The thing I worry about, and of course, we have no control over it, is the number of people who don't want either one and are going to have to pay for it anyway.

Vice Mayor Betts: That's right and I agree there.

Councilwoman Duby: But we don't have any choice on that. The State has handed us that kettle of fish and we're stuck with it.

Mayor Newlands: On recycling, you don't have to recycle if you don't want to.

Councilwoman Duby: But you have to pay for it.

Mayor Newlands: You will get charged for it, yes.

Councilwoman Duby: And some people don't need the yard waste. I don't.

I'm lucky, I've got a forest behind my house and we just take our yard waste out there. Other people may not have a yard that they have to deal with or whatever.

Vice Mayor Betts: A lot of the older people don't.

Mayor Newlands: That becomes a management problem for us and for the hauler, where it's all or none. That's the biggest issue.

Vice Mayor Betts: But it is a shame when there's older people that will never use it.

Mayor Newlands: You can opt for nothing on yard waste.

Vice Mayor Betts: But you still have to pay.

Mayor Newlands: No, on yard waste we can opt for nothing on yard waste, but then the cost per home, at \$6 a month, goes up a lot. So instead of it being \$2.34 a month, through this plan, it's \$6 a month if you're having somebody else do it.

Councilwoman DUBY: I would like to see us provide the service, but it just seems unfair that the price goes up to people and a lot of people aren't going to use it.

Vice Mayor Betts: I agree.

Councilwoman DUBY: I don't know what we could do.

Councilwoman Jones: Mr. Mayor, would you entertain any comments from the public over this issue?

Mayor Newlands: It's early, we don't have much more on the list. Sure. In an orderly... I'll allow four, okay?

Councilwoman DUBY: Why don't we say 10 minutes worth.

Mayor Newlands: Okay, 10 minutes worth is fine.

Councilwoman DUBY: Ten minutes worth and you can't talk more than 2 or 3 minutes.

Mayor Newlands: Don't start talking until you get to the microphone and state your name and address.

Tina Thurgood, 409 Spruce Street: What I wanted to talk about earlier was the yard waste options. I went on some websites, got a lot of numbers and figures basically. If you take a bag of yard waste, it costs you \$1 a bag.

Councilwoman DUBY: Take it where?

Tina Thurgood: To the DSWA, the Solid Waste Authority. If you haul it yourself, it means driving there; it's \$1 a bag. Six bags would be \$6.

Councilwoman Hudson: So this would be cheaper.

Tina Thurgood: Personally my waste is usually from April to like June, is my heaviest months and I have shrubs. My biggest problem right now with what to do with my stuff; my leaves I compost, that's very easy to do. It's the shrubs, the sticks, the branches that are difficult. Personally I know people aren't going to use it; there are a lot of services I pay for I don't use. My Town, State and County taxes for schools; I don't have children, but I pay them, because people need it. I need this. I would like it. And that's all I have to say. Thank you.

Mayor Newlands: Thank you.

John Booros, 115 Broad Street: So that you don't get stuck with some guy

for three years or five years that you may not like because he's unproven, have we considered a one year contract with three or five option years that don't have to be exercised, until a month before this year expires?

Mayor Newlands: No, because we would have to rebid it again next year, if we're going to do that.

John Booros: Well, you wouldn't have to rebid it, if the guy is good. You just exercise the option for the year. He prices the contract out. I did this for 37 years. He prices it out for all five years so you've locked in the prices, but you haven't necessarily locked him in. If he doesn't do well in the first year, or if he slacks off in the second year, you know it halfway through the year, you just don't exercise the option for the following year; but they're fixed price options that he's bid up front; but you don't exercise them until 30 days before this contract here expires by way of a letter signed by the Town. That way you're not locked into a ten year uniform cleaning contract or a five year or even a three year contract, if the guy stinks and you don't want to keep him. I don't know if you would have had to put the solicitation out that way when you went out with the bid.

Mayor Newlands: Probably.

John Booros: You may want to consider that in the future. This is a biggie.

Scott Hoffman, CABE Associates: One of the problems with that idea is a major; one of the costs that these guys have to deal with is the cans. So, if they don't know that they're going to recoup the cost of those cans over three years vs. one; that's going to reflect your prices.

Mayor Newlands: And the cans cost \$38 apiece, minimum. Does anybody else want to speak?

Fran Fallender, Wagamon's West Shores: Most of us at Wagamon's are all making gardens now; I think I have like 12 or 13 gardens, a veggie garden and everything else. I do most of my trimming in November through March. If it's a warm day, I'm out there. There's a lot of brush now. I'll have brush and cleaning up the veggie gardens and I think it's a great idea; because right now I have some bags and I've got to dispose of those and I think, even seniors when they're able to get it out to the curb, as opposed to trying to schlep it someplace far; they're not going to be able to carry it anywhere. But out to the curb... I've seen a lot of people in Milton, downtown Milton; they're keeping their properties up nicely. They're doing something with it. And I think it's a good idea.

Vice Mayor Betts: I think that property a lot has to do with if a person has their lawn serviced by a lawn person; they take their trash away.

Fran Fallender: Not all the time, you have to pay for that.

Vice Mayor Betts: Yes, \$2, a month. I mean, so if they're paying for it once, it's going to be bad for them to pay for it again; when they don't use it.

Unidentified Speaker: Well I'll go for the Cadillac because my Prius is almost ruined with the yuck in the back of it that I've been moving. And also I have one of the smallest little parcels in town. It's postage stamp, but it just produces.

Councilwoman Duby: Things grow.

Stephanie Parker, Broad Street: I'm here to represent for the people who don't want it, I don't need it, won't use it. I would also like you to consider if you do go with the yard waste plan, think about the fact that you're also going to be raising property taxes. You're looking at this Gross Rental Receipts Tax; you're looking at raising a lot of fees on people all in one year. So please take that into consideration.

Joyce Cronin, 107 Oysterman: There's a lot of things in town that I pay for that I don't use. I don't have kids; I'm not bad and I don't speed; there's a lot of things; but this is something that concerns me that if we don't have an ongoing facility for people to take care of their trash, it's going to end up in the sewer; it's going to end up on curbs; it's going to end up in all kinds of awful places to make our town look awful. So why don't we just do it. There's a lot things that we all have to chip in and do; that we don't pay for; but that's just society in general. Secondly, my worst part of gardening is April to May and then in the fall. I don't really have much in the middle of the summer, because I'm mulching; so I'm thinking spring and fall; rather than any one particular six month ongoing block. Like three, skip three, three. That's what I'm thinking.

Mayor Newlands: We already have the contract set up and we've already put it out for bid this particular way. Sorry.

Joyce Cronin: Okay. Thanks.

Fran Fallender: I've been noticing lately since there's no kind of pick up, that people are just dumping it all over the place. They're on the roadsides, they're in plastic bags, paper bags, just dumping it all over.

Mayor Newlands: Thank you. Anybody else. Okay, let's close it for comments, then.

Councilwoman Jones: Thank you.

Councilwoman Hudson: Okay, I make a motion that we have the ten month yard waste collection.

Mayor Newlands: That's option three?

Councilwoman Hudson: Yes. Three year, at least.

Mayor Newlands: So that everybody is clear, this is Yard Waste Option Three, which is \$18.84 a month total with all of the trash collection, recycling collection and everything else and that's including two collections in January; nothing in February or March; weekly April, May, October, November and every other week all other months.

Councilwoman Jones: Will they supply special cans for that?

Scott Hoffman: Yes.

Mayor Newlands: Do we have to use them or take them? Those are the brown cans that we talked about, right?

Councilwoman Duby: We'll have so many cans, we won't have a place to keep them.

Mayor Newlands: Don't go there.

Scott Hoffman: There is a yard waste can and there is a provision for bulk yard waste; like you could take branches up to a certain length; tie them

together in a bundle and I think also bags. And the reason why January was included was to include Christmas trees.

Mayor Newlands: Right.

Councilwoman Jones: So we will have a regular trash can; a recycling trash can; and a yard waste trash can.

Mayor Newlands: Optional yard waste can; I don't think you need to take it, right? I won't take a yard waste can, I guarantee you.

Councilwoman Jones: I will. How do you know?

Scott Hoffman: I don't know that they're going to make you take any can, if you don't want it, so that's something that we'll have to talk to them about. But I don't think they're going to force anybody to take a can if they don't want it.

Mayor Newlands: Right.

Vice Mayor Betts: But they can have them if they do.

Scott Hoffman: Yes.

Jeff Dailey, 211 Gristmill, Cannery Village: On the can thing. You have to store your cans, your receptacles in the garage; so three would really be kind of tough. So, if it can be optional, great. Thanks.

Mayor Newlands: We have the same restriction in my neighborhood.

Councilwoman Jones: How will you know how to distribute it?

Councilwoman DUBY: How will you take advantage of the service if you don't take the can?

Mayor Newlands: Bags.

Councilwoman DUBY: So they will take bags?

Scott Hoffman: Right, the bulk items include, I think it's something like five bags; I'll have to double-check that, but some people like the cans, and some people don't like the cans. And we have the same problem in my neighborhood, so we have three cans now and...

Councilwoman DUBY: As long as they will take other stuff. My experience has been sometimes they won't take it [garbled].

Scott Hoffman: Right. It is specifically written what it is. Off the top of my head, I believe it is the can and five bulk items. Okay? And the bulk items can include a bundle of sticks a certain size and the bags could be like something up to 40 lbs. or something like that.

Councilwoman DUBY: So that's per pick up; a can plus five?

Scott Hoffman: Right, that's per yard waste pick up.

Mayor Newlands: That's a lot.

Councilwoman DUBY: That's not bad.

Mayor Newlands: That's a lot. It's the biodegradable bags or paper, not plastic. Correct?

Scott Hoffman: I'll have to go back and double-check.

Mayor Newlands: Okay, so we have a motion on the table for yard waste option three; we don't have a second yet.

Councilwoman Jones: I'll second that.

Mayor Newlands: We have a motion and a second for a three-year contract with yard waste Option No. 3; that's a total of \$255,018.24 for the first

year; and it was \$18.84 a month.

Vice Mayor Betts: A month or a quarter.

Councilwoman DUBY: No, a month.

Mayor Newlands: That's a month. \$18.84 a month.

Councilwoman HUDSON: A month?

Councilwoman DUBY: It will be just under \$60 a quarter.

Mayor Newlands: Just under \$60 a quarter. You're paying \$47 now, a quarter, so it's not that much more for these.

Councilwoman HUDSON: Listen, that's all the trash.

Mayor Newlands: That's everything. They'll be here weekly. You'll get tired of seeing them.

Councilwoman HUDSON: This is not \$60 on top of what we're paying?

Vice Mayor Betts: Oh, I thought that was what you were going to say.

Councilwoman DUBY: No, no.

Mayor Newlands: It's \$60 total.

Councilwoman DUBY: No, no, instead of what we're paying now.

Mayor Newlands: \$60 total, that's correct. Let's do a roll call:

Councilwoman HUDSON	Yes
Councilman WEST	No
Councilwoman BETTS	No
Councilwoman JONES	Yes
Councilwoman DUBY	Yes
Mayor NEWLANDS	Yes

Mayor Newlands: Motion is carried.

d. Cap the current Police force at nine officers

Mayor Newlands: The next item is capping the police force to nine officers; which I'm not sure if we can do with the COPS Grant; I don't think we can, unless we're in "severe distress", I think is what they said.

Councilwoman DUBY: I thought the COPS Grant, when we talked about this before, my understanding of the COPS Grant was that we only get that grant if it's the eleventh officer, right? If it's not, let's say we just lose someone; setting aside what we're talking about doing now, capping it; but we lose someone and that COPS Grant is now paying for the tenth officer; we lose it for that reason, because they won't pay for that. It was based on an eleven member force, right?

Mayor Newlands: But you keep the strength of eleven members and you can't just give the money back; this is the Federal Government; they don't like taking money back.

Councilwoman DUBY: But it sounds to me as if under the terms of their own contract, that they wrote; they're perfectly willing to take it back as soon as we fall under eleven.

Mayor Newlands: If you're in "severe distress" it said. I would have to get the exact wording on it. There's a frequently asked question section, so it

said that you had to be “severely distressed”. This is not something that we need to do tonight.

Councilwoman DUBY: No, I understand it's not something we need to do tonight.

Mayor Newlands: It's not like a dire emergency to deal with.

Councilwoman DUBY: But I want to just clarify that we can't do it, because it seems to me that if the terms of their contract are that we lose the grant if we fall below eleven; which we could do, simply by attrition, if we lose a couple of people to somebody else and it takes us six months to a year to fill those slots; we're below eleven and I assume they're going to quit sending us this money. So it seems to me that if we make the decision that we don't need eleven people and we lose that grant, then we lose that grant. It's not like they can hold a gun to our heads and say you can't possibly cap your police force at a lower number, because otherwise you know...

Mayor Newlands: They only send us money when we spend it. Do you know how Georgetown is doing this year?

Councilwoman HUDSON: May I have the floor?

Mayor Newlands: Sure.

Councilwoman HUDSON: Okay. When I was looking at this and the reason I propose capping it at nine, there were two questions that came to my mind. One is can we afford eleven officers and the second is do we need eleven officers? Now pertaining to the first question, can we afford eleven officers. I have the minutes from back in 2009 when Mayor Post said “Where do you want the money to come from?” And, Councilwoman Abraham responded “Revenue Reserves.” Back in 2009, we did not have the money for the tenth officer when the motion was made to approve a tenth officer, it was to come out of Revenue Reserves. So we did not have the money for the tenth officer. Now on the agenda that was passed last year, and here's the Fifth Draft Budget, it says “Hiring of eleventh officer, year one of three, pending approval of three year grant.” The thing is, what it's not telling you, is that grant money for the officer covers salary, plus fringe benefits. So using the budget that was given to us this year, when you add up just what is proposed for the budget, it would come to approximately \$60,000 for the tenth officer and about \$60,000 for the eleventh officer. That's \$120,000. The COPS Grant, according to, again, what was printed here in the budget, would cover salary, plus fringe benefits. That comes to about \$47,000. Now, what was told to us, or the information given to us, also in the budget and in these things here, was this paper here, was that these expenses are bare minimum. We're not spending \$57,000 for overtime plus holiday overtime. This past year we spent \$77,500, instead of \$57,000; it was \$77,500. Last year or the year before, instead of \$57,000, it was \$70,000.

Mayor Newlands: That's not true.

Councilwoman HUDSON: Well, I was... Plus overtime.

Mayor Newlands: The holiday pay you have to realize you are going to

spend, no matter what. You have police coverage on holidays. They get paid double time and a half; that's a given cost...

Councilwoman Hudson: Again, I was, again...

Mayor Newlands: Just let me make one other point.

Councilwoman Hudson: No I have the floor please.

Mayor Newlands: I just wanted to clarify something before you.

Councilwoman Hudson: No, I have the floor.

Mayor Newlands: I know that but I just want to clarify...

Councilwoman Hudson: I would like to finish and then you can have all the time you want. I really would like to finish.

Councilwoman DUBY: Come on. Let's do this in a civil way. Come on.

Let him make his point.

Mayor Newlands: I just wanted to let you know that the salary for the eleventh officer is not in the budget. So I just wanted people to know that, so it doesn't include it.

Councilwoman Hudson: Okay, you're right. But it doesn't... My point is, it doesn't cover his entire salary. That's my point. So that's what I'm trying to say. The COPS Grant does not cover the entire salary of officer number eleven. It covers a small part of it, plus the \$60,000 is a low figure, when you add in what was actually spent, it could be \$65,000 for an officer; or closer to \$75,000 for an officer.

Mayor Newlands: You're pulling the numbers out of the air.

Councilwoman Hudson: I have... No, I'm taking the numbers from what was said at the last meeting where \$77,500 was spent. So my point is, can we afford it? Now, as... When you take out what the COPS Grant is; that leaves us maybe another \$90,000 for officer ten and what's left over for officer eleven. If we don't have officer ten and officer eleven; we don't even need to be talking about a Gross Rental Receipts Tax, at all, because the three year Gross Rental Receipts Tax comes to approximately \$90,000; we don't even need to be talking about that. So the thing is, we don't have all the money we need for the tenth officer; we don't have all the money we need for the eleventh officer; it's coming out of reserves or it's coming out of your pockets with higher taxes. So the problem is, number one, we can't afford it and unless you get taxed; some of you who own property and you rent them out, you're getting double-taxed. If you're a property owner and you rent it out, you're paying property taxes, you're paying rental property taxes, rental receipts tax; it's double. So the thing is we can't afford it, unless you take it out of reserves, which as Mayor Newlands has said, is going to push us towards bankruptcy or we tax you. So if we don't have the tenth and eleventh officers, it's not going to kill us to lose this Grant, because let me bring it down to my level. I got this Ace card for \$5; it says on it that if I spend \$25, I can get \$5 off. That's the way the COPS Grant works. If we spend a minimum of \$125,000, we can get some of it off, approximately \$47,000.

Mayor Newlands: That's not right. The COPS Grant is not \$120,000.

Councilwoman Hudson: But to pay for the rest of this, we have to tax you

people, so can we afford it? The answer is no. The other thing I wanted to talk about, is do we need it? Now, I did this chart from information; all of it came off the website. It came from the complaint reports that were put out by Chief Phillips; it came from budget, again, on the website; it came from the North Milton Report, Budget Revenue, which is on the website. Now, some of the numbers are a little bit different. If you look at this last column that the Chief handed out here, it says January 1st to July 31st; I'm on the Council. I haven't been given any information about what happened in July. My piece of paper only goes up to the end of June, so there's one reason why some of the numbers are different, because here I added January to June, so they're a little bit lower than what Chief Phillips came out with from January to the end of July. But one thing to look at, is total police activity, and these numbers have been, on the whole, steadily going down and I'm not talking about do we have... What I'm saying is, if you look at the violent offenses, adult arrests, domestic incidents, burglaries; they are relatively the same across the years. What has changed dramatically are traffic citations and traffic warnings. Way back in 2003-2004 we were burning them up on traffic offenses. So what I'm saying is, if you look here at the population, it hasn't changed that much; but what has happened over the years is the number of police officers has gone up 9, 10, 11 while the total police activity has, on the whole, gone down. So do we need it? According to the reports put out by our own Chief, we don't need them. We don't need them. This is the history, just like in the Department of Corrections. We want to evaluate someone, we look at the history. Here's the criminal history of Milton, right here. And the other thing to look out, you can also look at overtime expenses and in 2007 we sold the sewer plant and our expenses; these are actual fiscal expenses these were not proposed; these were actual expenses and they've jumped up. Overtime has gone up. Total expenses for the Police Department has gone up. The number of police officers has gone up; but police consider that our crime rate, on the whole, has gone down. So when I ask myself the question, do we need eleven officers? The answer is no, we do not. Can we afford it? No we can't. And, yes, I think we can lose that COPS Grant and I don't think that we're going to have a sudden rush in criminal activity, just because we have fewer police officers. When I take a look at the developments around us, they have no police officers at all. I don't hear about a big crime wave out in Pemberton; or a big crime wave in Painter's Mill down the road, or any of those developments down on Cave Neck Road. They don't have any big crime rates, because they don't have any police at all. I've been told we can't discuss what our scheduling is. It's a secret. We don't want the criminals to know. Well, if any of the people that are in here, are planning on stealing a flat screen television from somebody's home, do it out in Pemberton; they don't have any police at all. They don't have any scheduling at all. They don't have 24 hour a day; they don't have 12 hours a day; they've got nothing and just stop and think about it. My cousin

lives on 221 Atlantic and a block away, on Atlantic, are Melinda and Tom Huff and you know them, she's the director of our museum. My cousin pays town taxes and pays for the police salaries. Melinda Huff doesn't pay one red cent, not one red cent, for police coverage. And I don't think she's any more worried about crime, then my cousin who lives a block closer in who pays all this. So, just me, I think we can cap it at nine. To me, the question is, do you do it by attrition or do you do it by just laying off two officers; the two with the lowest scores coming out of the Cadet Academy; and they can take those credentials and get a job somewhere else. If we laid off two officers immediately, again, we wouldn't even have to discuss Gross Rental Receipts Tax; because we wouldn't need that money. That's right.

Mayor Newlands: What you're missing though is that one police officer is not covered in the budget; so all that money you're talking about; half of that money is not in the budget.

Councilwoman Hudson: That's right.

Captain Cornwell: I think you missed the point on the COPS Grant. When you actually approved the COPS Grant, it was for three years that they would pay for the officer. If we weren't up to eleven men and we were at ten, then the money would freeze until we got the eleventh person and then the funds would start coming back. You also forget that if you want to lay anyone off, you're violating the contract, because it says that one year you have to keep that eleventh officer; the one that's paid by the Grant; for one year after the three years; so if you lay off anyone, you're violating the contract that's been done with the Federal Government.

Councilwoman Hudson: Then you go by attrition.

Captain Cornwell: It's not that you can just drop off to nine people; you have to keep it for the four years, or at least the three years, at eleven people. The fourth year, the eleventh person, you can not lay him or her off for the fourth year, you have to keep them.

Councilwoman Hudson: Then we do it by attrition.

Captain Cornwell: Even if you do it by attrition, you still have that grant that you have an agreement with. Another thing too, these numbers right here, I'm not sure where some of the numbers got to or where they came from, because I looked at a lot of the same information. Also there's an asterisk where 339 and it says that Captain was emailed and I was emailed and there was no answer. Unfortunately, August 9th, I answered that email and it was August 13th that she let me know that it wasn't the right month. I talked to Cathy, Cathy was up to 279 charges at the time when I talked to her; and I said I know that that month, whatever month it was, we had a lot. Cathy didn't tell me that it was August, not September. I emailed Mrs. Hudson back on 9th, the same day that she emailed Cathy; told her... I'll just read the email to you.

Mayor Newlands: I don't think we need to go into it. That's okay.

Captain Cornwell: Well the whole point is it says here that she wasn't responded to; she was responded to on...

Councilwoman Hudson: I didn't get an answer.

Captain Cornwell: You got an answer on the day.

Mayor Newlands: Guys. Guys. Guys.

Councilwoman Hudson: Can you tell me what the correct number is? Because you've got 339 for August.

Captain Cornwell: 339. She asked for September. I went to Cathy. Cathy said she was at 279.

Councilwoman Hudson: Do you have a number?

Captain Cornwell: She didn't tell me that it was August that Councilwoman Hudson was wrong; it was August, not September. I said, okay. I remember that month; whatever month it was, we had a lot of arrests because we had burglaries, we had a robbery and some other things and it was gang related, so I emailed her back about the 339, was not a typo. Whether it was August or September.

Councilwoman Hudson: You arrested 339 kids in one month?

Mayor Newlands: They're charges.

Captain Cornwell: As I explained before, she was from the prison system. I explained in the email which is a Criminal Justice System, that each charge is a criminal charge in a criminal arrest and I explained that to her. She told in the email that there weren't even 339 children in our town and I let her know that on school days, there's between 1,300 and 1,400 children in our school every day; with staff there's about 1,500 with the three schools. So it's splitting hairs. Those 339 arrests that month. She was replied back to, but what she says in this report is not correct. I did reply back to her.

Mayor Newlands: Okay.

Councilwoman Duby: So when you use the term; I just want to clarify, because I'm confused; when you use the term arrests, you might arrest one person and charge him with ten things, so you would call that ten arrests. Is that right?

Captain Cornwell: Each charge is an arrest, that is correct.

Councilwoman Hudson: But it still doesn't change the fact that on the whole, the total police activity, counting in 339, the number that you have, right here for this month; it still doesn't change the fact that total police activity on the whole has been going down.

Captain Cornwell: You say it's going down; I say that it's not going down. It fluctuates, but it's not going down and you also have to factor in that we've not been at full staff for a long time. So you have to factor...

Councilwoman Hudson: I'll factor in that way back in 2005 we were not at full staff; it says there were nine officers, and that came right out of the \$10,000 report, the North Milton Report, which is on the website; and you had two of those in the Academy that were Hamlet and Glassier; so you only had seven, right then, and you still had 4,567; this is your numbers, coming off your reports, it's very close; just a few numbers off what you had.

Mayor Newlands: And we still didn't have... Hold on. Guys. Guys.

Guys.

Councilwoman Hudson: You weren't fully staffed in 2008, because I have the minutes right here and we voted and the tenth officer was to come out of Reserves; one had quit and one was on military leave; so you rarely, if ever, have full staff, but way back here in 2005, nobody was saying we have to do \$77,000 worth of overtime.

Captain Cornwell: Actually the military leave was in 2009.

Mayor Newlands: You keep misquoting that overtime.

Councilwoman Hudson: Right.

Captain Cornwell: And most people didn't leave until December 31, 2009 and then in the spring of 2010 is when we lost our people; so where you have it in 2008, military; it was 2009 and also December 31, 2009 that one left.

Councilwoman Hudson: 2009 was the Chief's Hearing.

Captain Cornwell: Yes. That's when he was on military leave. Then in 2011 you have three in the Academy; we have three in the Academy in 2011, April 18, 2011; not 2010. This thing has quite a few mistakes with it; that's what I'm trying to bring forth.

Mayor Newlands: Also, in 2005, you didn't have Wagamon's West Shores sub-division, you didn't have Cannery Village, you didn't have Preserve on the Broadkill; there are lots of neighborhoods that didn't exist in 2005 for patrol purposes, so..

Councilwoman Hudson: And they're there now.

Mayor Newlands: They're there now, when you had nine officers...

Councilwoman Hudson: from the numbers that Chief is providing. You can take a calculator and add up what the Chief has provided and on the whole, they're going down. You just look at the top up here at the complaints.

Mayor Newlands: I think we need more time to look at this.

Vice Mayor Betts: Can I just say one thing? I'm just happy to see that arrests are going down; that our crime is going down. We can argue over how many police and what we need and how many; but I'm just thankful that it is going down.

Councilwoman Jones: Has the Town Solicitor had the opportunity to read over the COPS Grant.

Seth Thompson: I have not looked at that yet.

Councilwoman Jones: I think that's the smartest place to start, as well as providing a copy of that contract to each Council member. Can we do that rather quickly?

Mayor Newlands: Sure. Yes, I think doing this based on some of these numbers, and based on the fact that the COPS Grant is not included in the budget right now; so the eleventh officer is not included for salaries and other benefits; so we need to get these numbers straightened out. It's not \$120,000 for the COPS Grant. It's to cover one officer

Councilwoman Hudson: I didn't say it was \$120,000 for the COPS Grant.

Mayor Newlands: and one officer only. You used the \$120,000 for

something else.

Councilwoman Hudson: Two together. If you add up everything, it comes to \$120,000 and part of that would be subtracted out for the COPS Grant. It's highlighted in yellow on the paper I gave you.

Mayor Newlands: I see that.

Councilwoman Duby: She's saying \$47,300 would come out of the COPS Grant.

Mayor Newlands: But the number \$120,000 keeps coming up and I just...

Councilwoman Hudson: Well...

Councilwoman Duby: She's adding the tenth and the eleventh officer together.

Mayor Newlands: I understand what she's doing, but it's confusing people and...

Councilwoman Duby: It didn't confuse me.

Mayor Newlands: Well, it's just blowing the number up a little bit.

Councilwoman Duby: Mr. Mayor, I would like to say I agree with what you seem to be saying, which is that we need to get more information about this. Obviously, we can't take a vote on this tonight; but I agree with Councilwoman Jones, we need to see the COPS Grant and have the Town Solicitor look at that, because I think that's a very important piece of this, because there seems to be two sides here. One is saying we absolutely can't do anything to cap our police force because of the COPS Grant and the other side is saying we can. I would like to know for sure what that is and I would like to see the contract. I do think we've got a lot of throwing around of numbers and things all over the map from 2005 to the current time; and this cost and that cost. If we are going to discuss this, and I hope we will, because I think it's a very good proposal to consider, at least; we need to have full information on it and not just a couple of sets of competing numbers.

Mayor Newlands: I agree.

Councilwoman Duby: So we need some time and some documents.

Mayor Newlands: And people need to understand that the holiday pay is holiday pay. It is part of their regular pay. It is not overtime we have any control over.

Councilwoman Hudson: You have overtime and overtime holiday and I added that in.

Mayor Newlands: Actually the overtime holiday, is really what they get paid. That should really be called Holiday. And actually next time we do a budget, I'm going to roll it into the regular salaries, because...

Councilwoman Hudson: Whether you call it holiday or whether you call it overtime holiday, I totaled it in. It's on the chart. It's overtime, plus overtime holidays; so back in 2006, it was \$31,000 and by the time we get up to 2011, with just eight guys on, it's \$77,500...

Mayor Newlands: No it's not. You're misrepresenting the numbers. You have to please represent the numbers properly. That's why I'm saying you're confusing the public, because you're not giving them the right data.

That's the problem.

Councilwoman Hudson: No, I'm not confusing them.

Mayor Newlands: Well, they don't know they're being confused, because you're not giving them the right data.

Councilwoman Hudson: Well excuse me.

Mayor Newlands: Come on. \$27,000 is holiday pay.

Councilwoman Hudson: I think you don't know that you're confused.

Mayor Newlands: I've worked through those numbers. The \$27,000 is holiday pay. It's their holiday pay in overtime; but it is not in excess, it is not overtime that they have control over.

Councilwoman Hudson: Exactly. This was added in. I know, but it still comes out of our pockets.

Councilwoman DUBY: Having looked at this after we have the discussion the other day, I agree with you, the holiday pay is not; however, if you look only at the overtime line, it's still an enormous amount of money.

Mayor Newlands: Right and that's because they're covering... I went through this before...

Councilwoman DUBY: That's part of the discussion that we will have.

Mayor Newlands: Okay.

Councilwoman DUBY: I just want to say, for those of us who do believe that what you're saying is true, the holiday pay is holiday pay and it is not to be added in; I still am very concerned about the amount of overtime.

Mayor Newlands: Thank you. Okay.

Councilwoman Hudson: I want to know how can you not add it in, when it's coming out of taxpayer pockets?

Mayor Newlands: It's not that it doesn't go in the budget, it's just that it's...

Councilwoman Hudson: It's in the budget.

Mayor Newlands: Okay. I'm ending this discussion. Sorry.

Councilwoman Hudson: That's a line item in the budget.

Councilwoman DUBY: Enough.

Councilwoman Hudson: And it's not covered by a grant.

Councilwoman Jones: Question and comment? When is the next time, as a Council, we will get together to talk about the budget and trimming expenses again?

Mayor Newlands: We can do it at the next Council Meeting, if you wanted to and we can vote on it that night, as well; but it will be a prolonged meeting, or we can have another meeting earlier, like the Wednesday of Labor Day week; have a workshop then.

Councilwoman Jones: Okay. Then I lied, because I have two comments then. First, as far as holiday pay and it was not brought up on Tuesday evening and if it's not okay to bring it up tonight, hold up your hand. The State a couple of years reclassified two holidays, Columbus Day and President's Day. They were reclassified in order to prevent or move around the holiday pay they paid the State workers. What they did, however, did not take anything away from the employees; they, in turn, gave that time off as personal bonus time. However, Town Hall would be

opened on October 10th (or whenever Columbus Day is) and Town Hall would be opened on President's Day. It would be a working day. The overtime would be saved and the employees would not be cut their benefits. That's reclassification.

Mayor Newlands: That's Town Hall. What about the police?

Councilwoman Jones: Everything's opened. It's a work day.

Mayor Newlands: So they reclassified...

Councilwoman Jones: They reclassified only those two holidays, considering them not to be family picnic and dinner around the table holidays. I think, if you investigate, because there are an awful lot of State workers in this room; you will find it has saved the State tens of thousands, if not hundreds of thousands over the last couple of years.

Mayor Newlands: But you're still giving somebody another day off though?

Councilwoman Jones: You are. You are giving them a personal day; you're equating that into outside of what we observe as State and Federal Holidays; you're giving that person a day on the books.

Mayor Newlands: If we both made \$10,000 a year and I work four days this week, because I got the holiday off and you worked five... The money is...

Councilwoman Jones: No, no, no. You didn't get the holiday off anymore. You took a day off. You took a vacation day. Call it a vacation day.

Mayor Newlands: It's the same thing.

Councilwoman Jones: It's not the same thing. It's not the same thing. The police officer is now working the same day as the Clerk is now working.

Mayor Newlands: For the police officer it's different, only for the police officers.

Councilwoman Jones: It's not different. It's not different.

Mayor Newlands: I'm just saying that for the police officer it's different, because they would not get their double time and a half.

Councilwoman Jones: The police officer does no longer get... For anybody who has to work day like that to check water or to check chemicals or whatever it takes, it then gives them that as a working day. If you want to stay home on Monday, Columbus Day, then you're going to burn a vacation day; but Town Hall is going to be opened. There is a significant savings.

Councilwoman Duby: So it saves money because you cut the 2-1/2 time overtime.

Councilwoman Jones: There is no overtime for anybody.

Mayor Newlands: You only cut it on police. You only cut it on police. Nobody else.

Councilwoman Jones: You don't have 24 hour on the wells and things? Well then you cut it on anybody it applies to. If you want to sit and say that it is against the police, I would argue that in that it's not against the police; but it is for the betterment, again, of trying to cut costs for Milton.

Mayor Newlands: I'm not disagreeing, I'm just saying it's only going to be

the police.

Councilwoman Duby: If that's the case, then I think that somewhat undercuts the argument that you're making that their holiday pay is no different than anybody else's holiday pay, because when somebody who works in Town Hall takes a day off for Christmas; or whatever, gets that holiday, which the police don't get, but if a policeman gets paid 2-1/2 times, rather than the regular salary that the other person is being paid, then it is a special situation. It is more money, then it would be otherwise.

Mayor Newlands: If they're working shift work, they're not working 9 to 5, five days a week.

Councilwoman Duby: Yeah and I understand that.

Mayor Newlands: So they'll skip the holiday by sheer accident based on the shift that they're on. That's just the way it works with police officers, how they get paid.

Councilwoman Jones: You can save money.

Mayor Newlands: You will save money with the two holidays, yes. But only on the police, because on the admin staff you're not going to save anything; because we're not paying overtime for anything. A day is a day.

Councilwoman Jones: The only, I guess, is my objectionable word. It only saves on police. It saves no matter who you're saving it on. I'm not pointing it in any specific direction. It has been done and it's also proven to work as a money saving issue.

Mayor Newlands: Right. I have a spreadsheet that I can give to you that works out the holiday pay for the officers and we can figure out what two days is worth.

Councilwoman Jones: And the other is, we're still on the budget kind of issue, we come barreling towards the next couple of issues, to reiterate or to parrot back what I actually heard most of all on Tuesday evening from the folks as we continue to look at the budget is, we can't know... Who just made the statement? We cannot know what to charge for Gross Rental Receipts Tax or Property Taxes, until the Council is charged with reducing the budget and then, once you get your deficit down to a workable number; then you'll know best what you have to apply to your community at large for your taxes. But I, for one, and have been working diligently, I see a lot of room in next year's budget to cut it and to reduce the deficit number that's now on the table. I really do see it. And that's what I heard from the public as well.

Mayor Newlands: Okay, we've been through a number of workshops. If you want another workshop, we'll do one either the week before Labor Day or the week of Labor Day.

Councilwoman Jones: If you do it the week after Labor Day, can I ask you to do it from the 7th on?

Mayor Newlands: I don't have a calendar.

Councilwoman Jones: The 7th is a Wednesday.

Mayor Newlands: Sure. We can do it on the 7th if you like.

Councilwoman Jones: Okay.

Mayor Newlands: Is that good? Or we can do it on the 8th?

Councilwoman Jones: I have an Economic Development Committee meeting on the 8th.

Mayor Newlands: Okay, so we can do a workshop on the 7th.

Councilwoman Jones: And Mr. Mayor as tedious and lengthy as it may be, I'm prepared to sit here the night to go over it line by line.

Mayor Newlands: That's fine.

Seth Thompson: I'm sorry. In terms of the budget, to the extent it ties into the issues that are on today's agenda, we can certainly talk about it. But you can't get too far afield...

Councilwoman Jones: That's all I wanted to say. Thank you.

Mayor Newlands: Okay, so we're going to do September 7th.

Councilwoman Duby: What day of the week is that?

Councilwoman Jones: A Wednesday.

Mayor Newlands: A Wednesday.

Councilwoman Hudson: Okay I make a motion that this agenda item be tabled until our next Town Council Meeting in September.

Councilwoman Duby: Only if we have more information by then.

Councilwoman Hudson: I hope so.

Councilwoman Jones: Councilwoman, is that including that we table the issue to the workshop on the 7th when we're talking about the budget again?

Councilwoman Hudson: We can discuss it on the 7th but we can't vote on it. It has to be voted on, so it must be on the September Council...

Mayor Newlands: The 12th.

Councilwoman Hudson: Yes for a vote.

Councilwoman Jones: And we will have... Could we have that documentation by the 7th?

Mayor Newlands: We'll try.

Councilwoman Jones: Well there's a contract, right, of COPS Grant information that shouldn't be difficult.

Mayor Newlands: I can get you that. That's easy. Yes, that I can get you.

Councilwoman Duby: That should be pretty easy. But it's clarifying all these numbers. I mean, I don't want to have another discussion of this, where we've got people yelling at each other about whose numbers are right. I want to get some right numbers from somebody.

Councilwoman Hudson: Well if you look at them, they're very, very comparable; if you put them side by side, month by month or year by year; there are only a few numbers like out of 450, there may be 5 points off. So they are extremely comparable; so to get them... So anyway, I was just saying that Chief Phillips numbers are very comparable to my numbers.

Mayor Newlands: Can we go back Chief and get the prior year's call logs from SussCom; the numbers of calls? Because we came out 6th out of all the 18 towns.

Chief Phillips: I would have to go back and check and see how far we've done that, because we started... Some of the numbers from 2008, 2009,

2010, if you remember we did the month by the 20th to the 21st? So that's where a lot of these numbers are way out of wack because they're not true months.

Mayor Newlands: Right. Right.

Chief Phillips: We went back by the true months; it's just the way we did it back then for some reason.

Mayor Newlands: If the total of all the months is the same, then I'm okay with that. But I would like to have the SussCom numbers, though.

Arrests are one thing, but the calls are something else. I mean, how many times do you go on a call and you don't make an arrest.

Chief Phillips: Right. And you also have to remember that we have three schools now that we are totally in charge of every complaint and my plan has been to put an officer in that school because the schools are failing, the parents are failing, and the kids are getting out of control and if we don't do something about it, it's going to be our worst nightmare. We do have more developments outside of town that are coming up all the time and those kids come in here and cause us problems also, just as do the adults. So we need a School Resource Officer on top of everything else and that's the long term goal of this whole thing.

Mayor Newlands: Right.

Councilwoman Hudson: First of all, I've taught in Milton Schools for 21 years and we have had three schools; we had Milton Elementary School, we had Milton Middle School and we had Milton Junior High and they went up to 9th grade; not just stopping at 8th and we had migrant workers, because Kingco Canning Company was opened and they had three...

Mayor Newlands: We finished the discussion on this Mary.

Councilwoman Hudson: Excuse me, you allowed him to speak and you didn't interrupt him. And we had three labor camps, as well. So not only did we have bigger kids, but we had more violent kids back then and I don't think that you've got 13 school complaints for 2010 and 31 for half a year of 2011, warrants another officer.

Chief Phillips: What you don't understand Ma'am is that the schools have not been reporting the crimes by the law, the way they're supposed to be. We're getting ready to have a meeting with Dr. whatever his name is, down at Cape right now, because the Principals are not reporting half the stuff they're supposed to report; which they can be arrested and be held accountable for also. So the crimes are not being reported as they're supposed to be and back when you were teaching, no disrespect, but that was 30 something years ago. And we have 13 gangs. We have all kind of gangs that we did not have back in the day. Thank you.

Mayor Newlands: Okay, enough with this discussion. Okay, we have a motion on the table to table this until September.

Councilwoman Jones: I second that motion.

Mayor Newlands: We have a motion and a second to table this discussion until September. All in favor say aye. Opposed. Motion is carried.

e. Property Tax increase discussion

Councilwoman Hudson: I make a motion that we table this because, again, we do not know what our current budget, final budget is. How can we ask these people to pay more money, when we don't even know how much we're going to need. I do not see the reason behind that. It doesn't make sense to me. It's blindly taxing. We need to have that workshop on the budget and really pear that thing down again; line item by line item; and get it as low as possible, so we can get, if we do have to tax either one of these, it's as low as possible. So I make a motion that the property tax item be tabled until next month.

Councilwoman Jones: I second that motion.

Mayor Newlands: We have a motion and a second to postpone the property tax increase options until the September Council Meeting. All in favor say aye. Opposed. Motion is carried.

f. Gross Rental Receipts Tax

Councilwoman Hudson: And again, I make a motion that be postponed. We cannot ask these people to pay a tax blindly, when we don't know how much we need.

Councilman West: Mr. Mayor, I would like to make an amendment to this Gross Rental Receipts Tax.

Mayor Newlands: We have a motion on the floor first. We have to wait to see if we get a second. If we don't get a second, then you can discuss it.

Councilwoman Jones: I second the motion. May we have the discussion, because I would like to hear what Councilman West has to say?

Mayor Newlands: Sure. Go ahead.

Councilman West: Mr. Mayor, I would like to make an amendment to this Gross Rental Receipts Tax, like I stated in the last meeting; that if you're going to try to tax your landlords, then you need to change this amendment, to include the commercial properties; because like I said before, not only are the commercial properties a business; you're classifying the landlords as a business. So if you're not going to do it all, then we need to do none.

Mayor Newlands: I went out and surveyed; this is the sheet that I gave you in your package; I went out and surveyed a number of the towns. Initially I went and I looked at the websites for a number of towns and got the list of their Gross Rental Receipts Taxes and when I surveyed them, I found out that like Mr. Radke was saying, there are commercial taxes in six of these towns, or five of these towns; so Bethany Beach is 6%; Fenwick Island is 7.5%; Millville is 2%; Ocean View is 4%; and South Bethany is 8%; and that's on the commercial end. So it seems that the towns that have the Gross Rental Receipts Tax, most of them are taxing commercial as well.

Councilwoman Hudson: But those other towns don't know what our budget is and what our revenues are.

Mayor Newlands: It's the point of we need to start supplementing the taxes

with some other forms of revenue and we need to start someplace. If we don't get it on our books, we're never going to know what we're going to be able to collect. So like I said before, this would only be 25% of the tax the first year, because we're only going to do October through December; so it will be a very small number and it will give us a gauge for where we're at and how much we can collect in the future. And we still do need to besides filling in the budget deficit, we still need to start building up our reserves for the future. Because as it stands now, we can't do any capital improvement projects. So we have a motion and a second to postpone this. We can pass that or we can reject that motion and let Councilman West put in his motion for changing the ordinance to include commercial. So we have a motion and a second.

Councilwoman Hudson: Postpone.

Mayor Newlands: To postpone. What is your vote:

Councilwoman Hudson	Yes
Councilman West	No
Vice Mayor Betts	Yes
Councilwoman Jones	Yes
Councilwoman Duby	Yes
Mayor Newlands	No

Mayor Newlands: Motion is carried. So we'll discuss it next month.

Councilwoman Duby: Mr. Mayor, I have a question on your sheet here. You have Millville taxes property at 100% of it's 1974 assessment. The fee schedule says the property tax is based on two times the Sussex County assessment, so would it be 200% then?

Mayor Newlands: Their website says something different then what's in the County. What's on the left here was the County and I went on their website and they have something in the minutes of the meeting where it's instead of it being 100%; it's 200%, I guess. So it's a little bit different. We had to change ours in the County also. The County had Milton at 50% of 2010 assessment and it was really the assessed numbers were really 2009 and it's 100%. What I include, just for reference for everybody for the next meeting, you now have the total assessed value of these towns; you have what's called the Mil Rate (that's what the tax rate is called); so you have their Mil Rate and you have what taxes they derive from that property tax. And also on the bottom, it's telling you when the assessment was done. So it's very, very difficult to equate one town to the other, because the assessed values are at totally different years. Lewes is 50% of the year 2000 assessment, so the appraised value in 2000, is much, much different than it would be today.

Councilwoman Jones: Mr. Mayor, again a request. Since the salary increase is still on the paperwork, at \$40,000, which is a reduction from the first one, I would still be interesting in seeing a list of the employees this covers and the percentages you wish to give.

Mayor Newlands: I'll have that for the _____.

Councilwoman Jones: Okay, thank you.

Mayor Newlands: I know I got your email and I just haven't had a chance to get it. I'm also trying to talk to some of the department heads to see what we want to do with some of the individuals.

10. Executive Session: Discuss Personnel Issues, Litigation and Land Acquisition

Mayor Newlands: Can we get a motion to go into Executive Session?

Councilwoman DUBY: So moved

Councilman West: Second.

Mayor Newlands: We have a motion and a second to go into Executive Session. All those in favor say aye. Opposed. Motion carried. It will be a quick Executive Session.

Councilman West: I make a motion to come out of Executive Session at 9:01 p.m.

Councilwoman DUBY: Second.

Mayor Newlands: We have a motion and a second to come out of Executive Session. All in favor say aye. Opposed. Motion carried.

11. Adjournment

Councilwoman DUBY: I make a motion to adjourn at 9:01 p.m.

Councilman West: Second.

Mayor Newlands: We have a motion and a second to adjourn. All in favor say aye. Opposed. Motion carried. Thank you all.